

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: ETHICON, INC.
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL 2327

THIS DOCUMENT RELATES TO CASES
IDENTIFIED ON EXHIBIT A

**TRANSFER ORDER
FOR CASES ON EXHIBIT A**

On June 17, 2020, I entered an Order and Suggestion of Remand remanding 37 cases listed on the exhibit attached to the Order [ECF No. 9144]. For reasons appearing to the court, the court **ORDERS** that the June 17, 2020, Order and Suggestion of Remand at ECF No. 9144 is **VACATED**.

The individual cases on Exhibit A were directly filed in the United States District Court for the Southern District of West Virginia and are related to MDL 2327 (“Ethicon MDL”), 2:12-md-2327, one of seven MDLs assigned to me by the Judicial Panel on Multidistrict Litigation and totaling over 100,000 cases since inception. Of the approximately 39,616 cases originally filed in or transferred to the Ethicon MDL, 338 remain. Of the remaining 338 cases, 37 are listed on Exhibit A and are ready to be transferred to the appropriate jurisdiction. In particular, the time to conduct discovery is complete in the cases on Exhibit A, and the parties have had time to file dispositive and *Daubert* motions, responses, and replies. For the convenience of the parties and in order to promote the final resolution of these cases, it appears to the court that the cases would be more expeditiously concluded in the venues from which they arise. The parties have indicated collectively to the court or the court has determined that proper venue resides in the United States

District Courts identified in Exhibit A. *Upon transfer, I urge the receiving court to immediately set these cases for trial without reopening discovery. Further discovery will only result in unjust delay. Extensive development of these cases over a period of years has made such further action completely unnecessary.*

Accordingly, pursuant to 28 U.S.C. § 1404(a), it is **ORDERED** that on **July 1, 2020** (14 days after the entry of the order) (hereinafter the “Transfer Date”) the cases identified on Exhibit A that are *still pending* shall be transferred to the United States District Courts identified on Exhibit A. On or before **June 30, 2020** (13 days after the date of entry of the order), the parties are **ORDERED** to confer and to file in each individual member case identified in Exhibit A, all documents from the main MDL that the parties jointly deem relevant to constitute an appropriate record for the receiving court to consider. When filing the documents from the main MDL, the parties are directed to use the CM/ECF event entitled “Designation of Record for MDL Transfers” (available under Civil > Other Filings > Other Documents). When completing the event, the “Main Document” should be the list of joint designations from the main MDL, and the “Attachments” should be each individual document on the joint designation list with the “Description” being the ECF number and a brief description of the document (i.e. ECF 96 – Joint Stipulation of Experts). All cases on Exhibit A that are pending on the Transfer Date shall be transferred, and the parties shall bear the consequences in the receiving court of any failure to prepare an appropriate record as directed in this order. The parties and the receiving court are advised that all Pretrial Orders entered in this matter are available for review on the court’s website at www.wvsd.uscourts.gov/MDL/2327/orders.html and the master docket sheet can be found on this court’s CM/ECF at 2:12-md-2327. *Finally, the court advises the parties that while the docket of the individual case will transfer to the receiving court, it is the parties’ responsibility to follow the*

receiving court's procedure for identifying any individual motions that remain pending and in need of ruling.

On the Transfer Date, the Clerk is hereby **DIRECTED** to use the appropriate function in CM/ECF to extract each member case listed on Exhibit A that remains pending and transfer it to the corresponding United States District Court listed on Exhibit A. After transfer of each member case listed in Exhibit A that is not dismissed prior to the Transfer Date, the Clerk is **DIRECTED** to formally close the case and strike it from the docket of this court.

The court further **DIRECTS** that a copy of this order and Exhibit A be filed in every case listed on Exhibit A and sent to counsel of record or any unrepresented party for the cases listed on Exhibit A.

ENTER: June 17, 2020

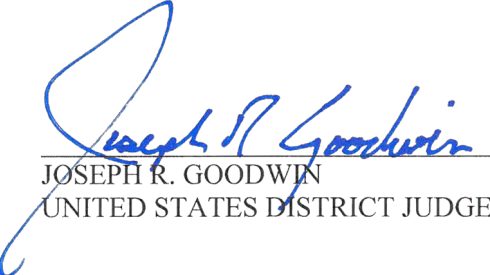

JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

EXHIBIT A

	Civil Action No.	Last Name	First Name	Venue
1	2:17-cv-02702	Acosta	Margaret Carolyn Moose	CD CA
2	2:14-cv-15094	Burton	Rebecca Becky Jo Chaney	ED KY
3	2:12-cv-01661	Carter	Tamara Lynn LeMaire Davis	D NV
4	2:17-cv-04072	Casey	Michelle Marie McEneny	D CO
5	2:12-cv-03159	Dorgan	Madenna Katherine Asher Saunders	SD MO
6	2:15-cv-08276	Ellerbee	Ovis Lee Turner	MDL FL
7	2:12-cv-09097	Ellis	Margo Sloan	WD WA
8	2:15-cv-06967	England	Teresa Lynn Taylor Jefferson	MD TN
9	2:14-cv-02945	Foster	Kimberly Kimm Jo Fromm	WD MO
10	2:14-cv-17367	Fuller	Maribeth Pallen	ED AR
11	2:12-cv-02148	Green	Janice Lanell Darby	ED TX
12	2:16-cv-05175	Hanifl	Julie Mayabb	WD MO
13	2:12-cv-09245	Heatherman	Christine Sharon Masson	D CO
14	2:13-cv-01686	Hooper	Linda Faye Sherman Moses Harris Daniel	ED TN
15	2:16-cv-05286	Jones	Elizabeth Winter Simpson	MD GA
16	2:13-cv-15410	Jones	Jimmie Darlene Simons	ED TX
17	2:14-cv-22872	Larson	Naomi Jean Maness	D MN
18	2:17-cv-02851	Messina	Carol Ann Phillips	MD FL
19	2:13-cv-26408	Moe	Debra Ann Bevens	D MN
20	2:17-cv-04361	Munoz	Silvia Gonzalez	CD CA
21	2:15-cv-07928	Murray	Lori Kristine Sanchez Mielzarek	WD WA
22	2:14-cv-31208	Pitlyk	Denise Pallardy	ED MO
23	2:15-cv-00541	Ratliff	Juanita Harmon	ED TN
24	2:13-cv-01294	Romero	Linda Jean Bernstein Lovett	D NM
25	2:15-cv-08952	Sexton	Chastity Dawn Minton Buckler	ED KY
26	2:13-cv-15857	Shostrom	Leah Kate Ronaele Proctor	D CO
27	2:17-cv-04364	Vigneau	Christine Marie Schultz Ballou	ED VA
28	2:13-cv-10672	Ashbrook	Iretta Lynn Engle	ED KY
29	2:14-cv-24320	Burris	Tina Louise Augustus	ND OH
30	2:17-cv-02945	Hunt	Barbara L. Fritz Hufnagel	MD FL
31	2:14-cv-14666	Lewis	Nancy Earsul Toby	ED MI
32	2:13-cv-13073	Rusciano	Susan Rupp	SD NY
33	2:13-cv-00097	Tedder	Judy Lee Coy Boyd	ND FL
34	2:14-cv-25604	Wilder	Marbeth Nadine Davis Sweitzen	ED TN
35	2:15-cv-07038	Holm	Julie Ann	D MN
36	2:13-cv-23903	Meindertsma	Jeanne Marie Ormond	WD TX
37	2:15-cv-14159	Mobley	Tasha Lorene Daniels	WD TX